



Dkt. 71674/JPW/PT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michimasa Kumagai
Serial No.: 10/734,036
Filed : December 11, 2003
For : METHOD OF PREPARING FREEZE DRIED BEAN PASTE

1185 Avenue of the Americas
New York, New York 10036
January 17, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT AND
CERTIFICATION UNDER 37 C.F.R. §1.97(e)

In accordance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

Applicant directs the Examiner's attention to the following references which were cited in an official action dated November 5, 2004 in a corresponding Chinese patent application and are listed on Form PTO-1449 attached hereto as **Exhibit A**. Copies of the references are attached hereto as **Exhibits 1** and **2**.

1. Chinese Patent Publication No. 1119909A, published April 10, 1996; (Exhibit 1); and
2. J. of Huaihai Inst. Of Tech. (Nat. Sci.), June 1997, Vol. 6, No. 2, pages 47-51 (Exhibit 2);

Applicant also submits herewith as **Exhibit B** a copy of the November 5, 2004 Chinese-language official action and an English-language translation thereof, in connection with corresponding Chinese Patent Application No. 200310110274.8.

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The other reference cited in the November 5, 2004 Chinese official action was previously submitted with the Information Disclosure Statement filed concurrently with this application on December 11, 2003, and therefore is not listed on the Form PTO-1449 and a copy of such other reference is not being provided herewith.

A first Office Action has not been received in connection with the subject application. Accordingly, pursuant to 37 C.F.R. §1.97(b)(3), Applicant believes that the present Information Disclosure Statement is timely filed and no fee or certification is due or required.

However, in the event that a first Office Action has been mailed but has not yet been received by Applicant or connected with the application file in the undersigned attorneys' office, Applicant hereby requests consideration of this Information Disclosure Statement under 37 C.F.R. §1.97(c)(1).

Pursuant to 37 C.F.R. §1.97(e)(1), each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. The date of mailing of the official action is November 5, 2004, and therefore this Information Disclosure Statement is being timely filed, pursuant to 37 C.F.R. §1.97(c)(1).

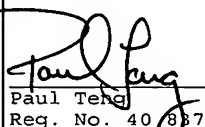
If a telephone conference would be of assistance in advancing the prosecution of the subject application, Applicant's undersigned attorneys invite the Examiner to telephone them at the number provided below.

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No fee, is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Paul Teng
Reg. No. 40,837

January 17, 2005
Date



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